

1A Wilma Ruth Manuel (Estate)

Case No. 0609019

Atty Knudson, David N., sole practitioner (for Cynthia Blackstock, Executor)

Atty Lampe, Michael J., sole practitioner of Visalia (for J.W. Stone and Mildred Stone; and The Money Man Corp.)

Pro Per Manuel, Sr., Mickey (Pro Per Claimant, spouse)

Probate Status Hearing Re: Failure to file a First Account or Petition for Final Distribution (Prob. C. 12200, et seq.)

DOD: 10/8/1997	CYNTHIA BLACKSTOCK , daughter, was appointed Executor on 8/26/1998 without bond, following objections by and litigation with MICKEY MANUEL, SR. , surviving spouse, who had filed a Will Contest on 6/3/1998, objecting to the validity of Decedent's estate planning documents.	NEEDS/PROBLEMS/COMMENTS:
		Page 1A is OFF CALENDAR (See Page 1C for First Account.)
		Page 1B is the Status Hearing Re Settlement.
		Page 1C is the First Account and Report of Executor.
Cont. from 061812, 082412, 100512, 120712, 011813, 030113, 042613, 062813, 082313, 103013	Background: Court Trial on the Preliminary Injunction Restraining Foreclosure Sale Under Deed of Trust filed 11/9/2006 by Cynthia Blackstock was held on 11/14/2006 , upon which date the preliminary injunction was granted by Judge James Quaschnick.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	Minute Order dated 11/14/2006 from the hearing on the preliminary injunction ordered all defendants [MICKEY MANUEL; MONEY MAN CORP.; FORECLOSURE LINK, INC.; J.W. STONE and MILDRED STONE, Trustees; GOLDSTEIN, GELLMAN, et al; and FIRST AMERICAN TITLE INSURANCE CO.] are restrained from selling or causing to be sold the subject property either under the power of sale, deed of trust or by foreclosure. Via minute orders from each continued hearing, Court has extended the restraining order to remain in full force and effect.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Minute Order dated 2/22/2007 from the hearing on the Complaint to Enjoin Foreclosure, for Conveyance of the Property claimed to Belong to Decedent, for Declaratory Relief; and for Damages filed by Cynthia Blackstock set a Settlement Conference on 6/5/2007. Notice of Settlement of Entire Case filed 5/31/2007 by Michael J. Lampe indicates the 6/5/2007 Settlement Conference, and a 6/19/2007 trial date.	
Letters	~Please see additional page~	
Duties/S		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 12/6/13
		Updates:
		Recommendation:
		File 1A- Manuel

Atty Knudson, David N., sole practitioner (for Cynthia Blackstock, Executor)
 Atty Lampe, Michael J., sole practitioner of Visalia (for J.W. Stone and Mildred Stone; and The Money Man Corp.)
 Pro Per Manuel, Sr., Mickey (Surviving Spouse, Claimant)

Status Hearing Re: Settlement

DOD: 10/8/1997	<p>CYNTHIA BLACKSTOCK, daughter, was appointed Executor on 8/26/1998 without bond, following objections by and litigation with MICKEY MANUEL, SR., surviving spouse, who had filed a Will Contest on 6/3/1998, objecting to the validity of Decedent's estate planning documents.</p> <p>Minute Order dated 4/26/2013 from the last hearing in this matter states parties request a continuance. Matter continued to 6/28/2013. Counsel advises the Court that he should have some information on the unlawful detainer by the next hearing. Counsel is directed to submit a status report. The Court orders that the restraining order remain in full force and effect.</p> <p>Court set a Status Hearing Re Settlement on 6/28/2013. Court continued the Status Hearing to 8/23/2013.</p> <p>Status Report of Executor filed 6/26/2013 states:</p> <ul style="list-style-type: none"> WILMA RUTH MANUEL died 10/8/1997 and her Will left her Fresno residence to two daughters, CYNTHIA BLACKSTOCK and ANGELA MANUEL, and her residence in Kent, Washington to 3 grandchildren, ALYSHA WATTS, TSION MULUGETA and LEONARD WILLIAMS; Wilma was not married at the time of her death; she had previously been married to A. D. MANUEL, commonly known as "Mickey Manuel," or "Mickey Manuel, Sr."; Wilma was survived by a son, MICKEY MANUEL, also known as "MICKEY MANUEL" or "MICKEY MANUEL, JR.," "MICKEY JUNIOR MANUEL" and/or MICKEY J. R. MANUEL;" Mickey Manuel, Jr., sometimes also poses as Mickey Manuel, Sr.; Cynthia (Executor) believes the petition filed in this proceeding was actually filed by Mickey Manuel, Jr., even though it is signed "Mickey Manuel, Sr.," MICKEY MANUEL, SR. aka A. D. MANUEL is not a beneficiary under Wilma's Will; Mickey Manuel, Jr. is disinherited with a gift of \$1.00 under Wilma's Will; <i>Status Report</i> pgs. 2-3 detail long history of proceedings in this matter); <p align="center">~Please see additional page~</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from 062813, 082313, 103013		
Aff.Sub.Wit.		
Verified		
Inventory		
Status Rep.		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Continued from 10/30/2013.</p> <p>Reviewed by: LEG</p> <p>Reviewed on: 12/6/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1B – Manuel</p>	

Status Report of Executor filed 6/26/2013, continued:

- In 2006, it was discovered that **MICKEY MANUEL, JR.**, had forged Wilma's signature against the North Pleasant property, the only asset of the estate, and obtained a loan secured by Deed of Trust against the North Pleasant residence; a petition was filed to obtain a restraining order to prevent the foreclosure, and on 11/14/2006, Judge Quashnick entered a preliminary injunction prohibiting the trustee to the Deed of Trust from foreclosing on the property; subsequently, the matter was settled and a *Notice of Settlement* was filed on 6/21/2007.
- **Recent Actions:**
 - In 2012, Mickey Manuel, Sr., filed once again a petition seeking confirmation of the purported trust, in companion Case #12CEPR00408; after various hearings, that petition was dismissed without prejudice; Mickey Manuel also filed an unlawful detainer action and obtained a writ of possession for the North Pleasant residence;
 - On 10/29/2012, the Court entered an order restraining the writ of possession;
 - Following a hearing on 12/5/2012, the Court entered an *Order Confirming Title to Real Property as an Asset of the Estate*, in which it determined that the Pleasant Avenue residence was an asset of the estate, and Mickey Manuel, Sr., had no interest in it;
- **Status of the Estate:** The Court has previously directed counsel to respond to issues regarding:
 1. Funds held by Edward A. Kent, former attorney for Wilma Manuel. In response to a letter directed to Edward A. Kent, the undersigned (Attorney Knudson) received a response, acknowledging the funds were still being held (*copy attached as Exhibit A*); by Court order entered 3/29/1999, Mr. Kent was to hold the funds amidst competing claims that were (then) being asserted by Mickey Manuel, Jr., Mickey Manuel, Sr., and the estate, pending issuance of an order by a court of competent jurisdiction to turn over those funds; the estate will be filing an ex parte petition to have those funds turned over to the estate; information provided to the estate at the time of filing the petitions in 1999 indicated that the funds had a value of **~\$41,500.00**.
 2. Settlement of the litigation concerning J. W. Stone and Mildred Stone, the deed of trust forged by Mickey Manuel, Jr. The deed of trust which was determined to be a forgery had been issued to J.W. Stone and Mildred Stone, Trustees of the J. W. Stone Koegh Profit Sharing Plan #001; the Stone defendants were represented in the suit by Michael J. Lampe; the undersigned is informed and believes that counsel was retained on behalf of the Stone defendants by First American Title Insurance Company, which had issued title insurance on the transaction; subsequently, the Stone defendants assigned their interest in the deed of trust to First American Title Insurance Company; in response to the undersigned's request, a letter was received from Michael P. Smith [*of the Law Offices of Michael J. Lampe of Visalia, representing J. W. Stone and Mildred Stone*] (*copy attached as Exhibit B*); in a conversation with Mr. Smith, he indicated that the present beneficiary, First American Title Insurance Company, recognized the invalidity of the deed of trust, and would take no action on it; it is anticipated that First American will release any beneficiary interest under said deed of trust.
 3. The status of the real property. The North Pleasant residence is the only asset of the estate recovered to date; it passes to Cynthia Blackstock under the Will, since Angela Manuel is deceased; Partial Inventory and Appraisal No. 1 filed 1/14/2000 showed a value of **\$190,000.00** for the residence; an accounting would show the residence still on hand; there have been no estate transactions, since the estate has never had any liquid assets; the expenses of the residence have been paid by Cynthia Blackstock.
 4. Unlawful Detainer Proceedings. A motion to dismiss the unlawful detainer action is set for **8/12/2013**.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:Notes for background:**Declaration of Mickey Manuel, Sr., RE Status Hearing and Rejection of Claim filed 10/29/2013 states:**

- His creditor's claim for **\$8,513.86** for property taxes he paid on the house that is part of this estate was rejected according to the docket history on 8/5/2013;
- He recently received a letter dated 10/18/2013 from Attorney David N. Knudson, who represents Personal Representative Cynthia Blackstock (*copy of letter attached as Exhibit A*);
- In the letter, Attorney Knudson states that he is writing the letter at the Court's request to explain why his creditor's claim was rejected; without any citation to statute or case law, Attorney Knudson said:

"In Probate cases, creditor's claims are filed only for debts and claims that exist prior to the person's death. Thus filing a creditor's claim for the monies you advanced towards property taxes was inappropriate; it was not permitted by law and had to be rejected. It appears, however, that the taxes should have been paid by the estate; unfortunately, the estate has no funds. We are trying to obtain a loan to pay administrative expenses and close the estate. There are no assets that we have been able to locate except for the house here in Fresno. Mickey Jr. fraudulently claimed the house in Washington, trashed it, borrowed against it and it was foreclosed."
- He disagrees with Attorney Knudson's statement regarding his claim being "inappropriate" and "not permitted by law and had to be rejected." In fact, based on the citation below, it appears that Attorney Knudson is making a false statement. In California Civil Practice [...] Volume 13, Chapter 13 § 13.2, it states as follows:

"...The definition of 'claim' in Probate Code § 9000(a) is based on the definition of claim contained in Uniform Probate Code § 1-201 (4), which states that a claim includes liabilities of the estate that arise at or after the death of the decedent. Consequently, regardless of the literal language of Probate Code § 9000, a reasonable interpretation of 'claim' includes liabilities arising after, as well as before, a Decedent's death [Kizer v. Hanna (1989) *[reporter cites omitted]*."
- It is his belief that the property taxes he paid were a legitimate claim; it is his intention to file a Complaint of Rejected Claim on or before 11/4/2013;
- Further, Attorney Knudson's letter confirms his beliefs and statements when he also stated in his letter:

"....There are no assets that we have been able to locate except for the house here in Fresno. Mickey Jr. fraudulently claimed the house in Washington, trashed it, borrowed against it and it was foreclosed."
- In Case #12CEPR00408, he petitioned the Court to recognize Wilma Ruth Manuel's Trust, which preceded the Will that appointed Cynthia Blackstock, and where he was the Successor Trustee and a beneficiary of the estate; Cynthia Blackstock alleged that he, instead of Mickey Jr., was the one that committed fraud; in that case, he was basically dismissed based on those allegations and now we see through Attorney Knudson that Cynthia Blackstock knew all along that he was not the perpetrator of the fraud; [Note: Minute Order dated 6/18/2012 from Case #12CEPR00408 states the *Petition for Order Accepting Appointment of Respondent as Successor Trustee for the Wilma Manuel Family Trust* is denied and dismissed without prejudice.]
- So, as the never divorced husband of Decedent Wilma Ruth Manuel, and as the Successor Trustee and beneficiary of her Trust, he has an interest in the house in Fresno as well as the right to be reimbursed for the **\$8,513.86** in property taxes he paid;

~Please see additional page~

Notes for background, continued:**Declaration of Mickey Manuel, Sr., RE Status Hearing and Rejection of Claim filed 10/29/2013, continued:**

- In addition, he feels it to be grossly unfair for Attorney Knudson to obtain a loan on the house, for administrative expenses which are primarily his attorney fees;
- A loan, if one is obtained, will not be able to be paid back and the house will end up in foreclosure; this will cause a loss of equity which is also unfair to the beneficiaries of the estate;
- In the minute order for the last status conference hearing, the Court ordered him to provide Attorney Knudson information about estate assets; he mentioned that there had been life insurance on Wilma Ruth Manuel; in the letter from Attorney Knudson, he asked him for information concerning the company, where it was obtained, etc.; he has no further information or detail concerning life insurance other than he know that she had some at one time.

Petition to Confirm Title to Real Property in the Estate filed by Cynthia Blackstock, Executor, on 10/30/2012 was heard on 12/5/2012; the Petition was granted, and the *Order Confirming Title to Real Property in the Estate* signed 12/11/2012 finds in pertinent part: The residence located on North Pleasant is an asset of the Estate of Wilma Ruth Manuel, and Mickey Manuel, Sr., has no interest therein; temporary restraining order entered by this Court on 10/29/2012 is extended to 2/4/2013 or until an adverse ruling is obtained in Case #12CECL05667 [unlawful detainer]; Mickey Manuel, Sr., the Fresno County Sheriff, and their agents, [etc.], are restrained and enjoined from executing that Writ of Possession entered 10/5/2012 in Case #12CECL05667 [Civil case consolidated with Probate case on 8/16/2013.]

Status Report of Executor filed by Attorney Knudson for Cynthia Blackstock on 6/11/2012 states:

- Wilma Ruth Manuel's Will left her Fresno residence to two daughters, **CYNTHIA BLACKSTOCK** and **ANGELA MANUEL**, and a residence in Kent, Washington, to three grandchildren, **ALYSHA WATTS**, **TSION MULUGETA**, and **LEONARD WILLIAMS**;
- Wilma was not married at the time of her death on 10/8/1997; she had previously been married to **A. D. MANUEL**, commonly known as, "**MICKEY MANUEL**" or "**MICKEY MANUEL, SR.**";
- Wilma was survived by a son, **MICKEY MANUEL**, also known as "**MICKEY MANUEL**" or "**MICKEY MANUEL, JR.**"; "**MICKEY JUNIOR MANUEL**" and/or **MICKEY J. R. MANUEL**;" Mickey Manuel, Jr., sometimes also poses as Mickey Manuel, Sr.;
- Cynthia (Executor) believes the petition filed in this proceeding was actually filed by Mickey Manuel, Jr., even though it is signed "Mickey Manuel, Sr.;" **MICKEY MANUEL, SR.** aka **A. D. MANUEL** is not a beneficiary under Wilma's Will; Mickey Manuel, Jr. is disinherited with a gift of **\$1.00** under Wilma's Will; *Status Report* pgs. 2-3 detail history of proceedings);
- In 2006, it was discovered that **MICKEY MANUEL, JR.**, had forged Wilma's signature against the North Pleasant property, the only asset of the estate, and obtained a loan secured by Deed of Trust against the North Pleasant residence; a petition was filed to obtain a restraining order to prevent the foreclosure, and on 11/14/2006, Judge Quashnick entered a preliminary injunction prohibiting the trustee to the Deed of Trust from foreclosing on the property; subsequently, the matter was settled and a *Notice of Settlement* was filed on 6/21/2007;

~Please see additional page~

Notes for Background, continued:**Status Report of Executor filed 6/11/2012, continued:**

- **Present status of the estate:** Nothing further occurred in the estate proceedings until **MICKEY MANUEL, SR.**, filed an *Application for Waiver of Court Fees* in February 2009 and in September 2009, both of which were denied; on **3/27/2012**, he filed a further *Application for Waiver of Court Fees*, which was granted, and thereupon he filed his *Petition to Secure Appointment as "Successor Trustee"* for the **WILMA MANUEL FAMILY TRUST**; Cynthia Blackstock has not been given notice of the hearing on that petition;
- The North Pleasant residence is the only asset of the estate; it passes to Cynthia Blackstock under the Will since Angela Manuel is deceased; Wilma also owned a residence in Kent, Washington, of which **Mickey Manuel, Jr.**, obtained possession and fraudulently sold, taking the proceeds;
- There are no funds available to pay expenses of administration; Wilma's former attorney **EDWARD A. KENT, JR.**, had possession of some of her funds, but Mr. Kent resigned from the State Bar in 2003 with disciplinary charges pending; the plan for administration is to try to obtain a loan on the North Pleasant residence so administrative expenses can be paid.

Creditor's Claim filed 12/5/2012 by MICKEY MANUEL, SR., aka A.D. MANUEL, is dated 11/15/2012 and states **\$8,513.86** is owed to him based on the following:

- Attached to the claim are receipts for payments made on property with parcel #406-172-01-S; [Note: documents attached consist of copy of 2011-2012 Fresno County Secured Property Tax Bill; copy of Abstract of Delinquent Secured Taxes or Certificate of Redemption; copy of County of Fresno Tax Collection Division letter regarding payment of delinquent taxes under an installment plan of redemption for APN 406-172-01, indicating \$90.00 installment plan fees and first payment of 20% or more of the unpaid redemption amount and any current taxes must be paid by June 30, signed by Mickey Manuel and dated 5/4/2012];
- Cynthia Blackstock owes this money; she was residing and still resides in the residence and chose not to pay property taxes for years;
- The Trust was about to lose the house but he stepped up and saved it;
- Once it is settled that the home is back in the Trust, and now that the home is already back in his name in the Trust, he will take care of the taxes from now on;
- This creditor's claim is in no way a settlement of what Cynthia owes the Trust; he is still pursuing the assets from Wilma's life insurance policy, which he was the beneficiary of, and all assets that have not been accounted for;
- Wilma and he were never divorced; enclosed you will find a copy of the marriage license [Note: copy of marriage license is not attached to claim.]
- Explanation of money owed totaling **\$8,513.86**:
 - **\$4,839.86** – 20% of taxes owed had to be paid
 - **\$3,184.00** – current year taxes for 2011
 - **\$400.00** – one month that he paid
 - **\$90.00** – start-up fee.

Atty Knudson, David N., sole practitioner (for Cynthia Blackstock, Executor)

(1) First Account and Report of Executor, (2) Petition for Recovery of Funds Belonging to Estate and Status Report of Executor [Prob. C. 10900, 850]

DOD: 10/8/1997		CYNTHIA BLACKSTOCK , daughter and Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 8/26/1998 – 9/30/2013	1. Petitioner states that the residence was listed as "Partial Inventory No. 1" [filed 1/14/2000] because it was believed there were other assets which would be subject to administration. <i>Ex Parte Order to Turn Over Funds Belonging to the Estate</i> filed 10/30/2013 indicates assets belonging to the estate held by Edward A. Kent shall be turned over to the Petitioner as Executor. Need information regarding the status of the funds, and a supplemental or final <i>Inventory and Appraisal</i> to be filed with the Court showing the additional value to the estate. 2. Need proposed order pursuant to Local Rule 7.1.1 (F) providing that a proposed order shall be submitted with all pleadings that request relief.
Cont. from		Accounting - \$190,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$190,000.00	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$190,000.00 (real property)	
<input checked="" type="checkbox"/>	Inventory	Executor - not requested	
<input checked="" type="checkbox"/>	PTC	Attorney - not requested	
<input checked="" type="checkbox"/>	Not.Cred.	Costs - not requested	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
	Aff.Pub.		
<input checked="" type="checkbox"/>	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Petitioner states:

- With the exception of rejecting two creditor's claims, Petitioner has taken no action on the others (*Exhibit A lists the creditor's claims filed*); during the full court of administration of the estate, the estate has lacked sufficient funds to pay creditors claims;
- Petitioner's counsel is in contact with the Franchise Tax Board concerning resolution of the claim filed 8/28/1998 for **\$348,196.00**;
- The obligations of the estate include expenses of administration and costs which have not been paid, together with unpaid property taxes on the residence;
- Under Decedent's Will, the residential real property passes to Petitioner;
- The residence was listed as "Partial Inventory No. 1" [filed 1/14/2000] because it was believed there were other assets which would be subject to administration; however, none have been recovered;

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Petitioner states, continued:

- A number of related proceedings have occurred in the administration of this estate:
 - On 2/20/2998, Petitioner filed a petition to probate Decedent's Will dated 6/18/1996; Mickey Manuel, Sr., filed a Will contest, contending that there was a subsequent Will which incorporated the living trust, dated 9/12/1997;
 - Mickey Manuel, Sr., also filed a "Petition to Ascertain the Validity of Trust-Related Documents and Determine to whom the Trust Property Shall Pass..." And Petitioner demurred and moved to dismiss both the Will contest and trust petition;
 - On 8/18/1998, Mickey Manuel, Sr., was ordered to file a petition to probate the 9/12/1997 Will as a lost will, to properly serve his will contest, and to file an amended petition regarding the purported trust; nothing was filed, so an Order for Probate was entered 8/26/1998, admitted the 6/18/1996 will and appointing Petitioner as Executor with full IAEA authority without bond;
 - Mickey Manuel, Jr., also filed a Petition to Revoke Probate of the admitted Will; Petitioner's demurred was sustained without leave to amend on 4/29/1999;
 - On 12/17/1998, the Court dismissed Mickey Manuel, Sr.'s Petition to Establish the Existence of the Trust;
 - In 2000, Mickey Manuel, Jr., filed a Complaint for Ejectment Claiming Possession of the Estate's Residence located on North Pleasant in Fresno; Petitioner filed a Petition to Confirm Title to the Residence as an Asset of the Estate; the two actions were consolidated; Mickey Manuel, Sr., (A. D. Manuel), also asserted his claim to the property as trustee of the purported 1997 trust; on 5/25/2000, Mickey Manuel, Sr. was ordered to file his claim in writing within 30 days; he failed to do so;
 - In 2006, it was discovered that Mickey Manuel, Jr. had forged his mother's signature and obtained a loan secured by Deed of Trust against the North Pleasant residence; on 11/14/2006, Judge Quashnick entered a preliminary injunction prohibiting the trustee under the Deed of Trust from foreclosing on the property;
 - Subsequently, the matter was settled and a Notice of Settlement was filed 6/21/2007;
 - In 2012, Mickey Manuel, Sr., filed once again a petition seeking confirmation of the purported trust, in companion case 12CEPR00408; after various hearings, that petition was dismissed without prejudice;
 - Mickey Manuel, Sr., also filed an unlawful detainer action and obtained a writ of possession for the North Pleasant residence; on 10/29/2012, the court entered an order restraining the writ of possession;
 - Following a hearing on 12/5/2012, the court entered an Order Confirming Title to Real Property as an Asset of the Estate, in which it determined that the Pleasant Avenue residence was an asset of the estate, and Mickey Manuel, Sr., had no interest in it;
 - Subsequently, an order was entered in the unlawful detainer proceeding dismissing it and consolidating the unlawful detainer proceeding with this case.

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Petitioner states, continued:

- Among the assets of the estate are funds held by **EDWARD A. KENT**, who represented the Decedent in bankruptcy proceedings; a copy of Mr. Kent's recent letter acknowledging he holds the funds is attached as *Exhibit B*; the funds are necessary in the administration of the estate and constitute assets of the estate; it is necessary that the estate receive the funds in order to use them for payment of expenses of administration;
- Information provided to the estate in 1999 indicated the funds had a value of **~\$41,500.00** at that time; at one time, Mickey Manuel, Jr., asserted he had the right to those funds; however, through various proceedings Mickey Manuel, Jr., has abandoned that claim, and his whereabouts are unknown;
- The status of the residence is dire; Petitioner has been working on obtaining a loan against the residence to cover administrative expenses, and then seek distribution of the residence subject to the loan, as the residence is a specific devise under the Will; no other assets have come to Petitioner's knowledge or into her possession which would be distributable under Decedent's Will.

Petitioner prays for an Order:

1. Accepting, allowing and approving the First Account as filed;
2. Ratifying, confirming and approving all allegations of the petition;
3. Directing Edward A. Kent to remit any and all proceeds being held on behalf of Wilma Ruth Manuel, and of the estate of Wilma Ruth Manuel, to Petitioner as Executor under the Will of Wilma Ruth Manuel; and
4. Authorizing the administration of the estate to continue for a period of 6 months to enable resolution of issues regarding the residence and the Franchise Tax Board creditor's claim.

Note: *Exhibit A* of the *Petition* does not include in the list of filed creditor's claims in this estate the *Creditor's Claim* filed 12/5/2012 by Mickey Manuel, Sr., for **\$8,513.86** representing property taxes he states he has paid for the real property, which claim was rejected by the *Rejection of Creditor's Claim* filed by Petitioner on 8/5/2013, and which rejection was explained to Mickey Manuel, Sr. in a letter dated 10/18/2013 from Attorney Knudson (copy of letter attached to *Declaration of Mickey Manuel, Sr. Re Status Hearing and Rejection of Claim* filed 10/29/2013.)

Note: Court will set a status hearing as follows:

- **Friday, June 13, 2014 at 9:00 a.m. in Dept. 303** for the filing of the second and/or final account.

Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.

First Account and Status Report of Joshua David Leong, Administrator

DOD: 02/03/12		JOSHUA DAVID LEONG , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 06/14/12 – 06/31/13	Note: If the Court approves the first account another status hearing should be set for the filing of a Petition for Final Distribution.
Cont. from 090913			
	Aff.Sub.Wit.	Accounting - \$204,105.04	
		Beginning POH - \$157,910.04	
✓	Verified	Ending POH - \$164,897.20	
✓	Inventory	Administrator - not addressed	
✓	PTC	Attorney - not addressed	
✓	Not.Cred.	Costs - not addressed	
✓	Notice of Hrg		
✓	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters	06/14/12	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		

Petitioner states that the creditor's claim of Access Capital Services was rejected on 06/01/13. This claim was not rejected sooner because the Petitioner was communicating with the creditor to discuss the claim with perhaps settle it. Petitioner, prior to receiving letters of administration, had in good faith paid past rent for the decedent's office space, collected the security deposit, transferred possession of the office back to the creditor by relinquishing the keys to the office manager, believing all further obligations of rent were met. Once the unexpected claim was received, administrator made attempts to resolve the claim. The creditor has not brought an action on the claim and there is adequate security for the claim. The estate is solvent. Petitioner states that the estate cannot be distributed until the rejected creditor's claim has been resolved and any other taxes due are paid. Petitioner estimates that an additional three months will be needed.

Petitioner prays for an Order:

1. Allowing, settling and approving the first account;
2. Confirming and approving all acts and proceedings of the administrator.

Reviewed by: JF
Reviewed on: 12/5/13 (KT)
Updates:
Recommendation:
File 2 – Leong

DOD: 7-3-11		<p>BARBARA MORGAN, Administrator with Full IAEA without bond, passed away on 10-20-13.</p> <p>AIMEE HOLLAND, Step-granddaughter of Barbara Morgan, is Petitioner and requests appointment as Successor Administrator with Full IAEA with bond of \$119,000.00.</p> <p>Full IAEA – ok</p> <p>Decedent died intestate</p> <p>Estimated Value of Estate: Personal property: \$119,714.51</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Petitioner is the nominated executor of Barbara Morgan's estate. Barbara Morgan, mother of Connie J. Shaver, is the post-deceased sole heir of this Decedent's estate. Petitioner states she is the nominated executor of the Estate of Barbara Morgan.</p> <p>1. The original petition estimated the value of the estate at \$225,000.00. Two partial I&As were filed totaling \$119,714.51. This petitioner now alleges that \$119,714.51 is the total value of the estate. Need clarification for I&A and bond purposes.</p> <p><u>Note:</u> The Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Friday 1-10-14 for filing of bond Friday 2-7-14 for Final I&A (Two Partial I&As were filed on 4-5-13 and 6-21-13) Friday 2-6-15 for filing the first account or petition for final distribution. <p>If the requisite items are on file, the status hearings may be taken off calendar. If not, need verified written status report per local rules.</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
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	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
<p>Reviewed by: skc</p> <p>Reviewed on: 12-5-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 – Shaver</p>				

Atty **Rube, Melvin K. (for Co-Trustee, Scott J. Worthington)**Atty **Kruthers, Heather H (for the Public Guardian)****Petition for Fees for the Public Guardian and her Attorney [Prob. C. 15688]**

			PUBLIC GUARDIAN is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Petitioner filed and was granted a fee waiver for the filing of this petition. Filing fees should be considered a cost and reimbursed to the court. It appears that a request to pay the filing fees should have been included in the petition.
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	Citation			
	FTB Notice			

Petitioner states at the hearing on August 12, 2012, the Court, via minute order, directed "the Public Guardian to meet with Fred Worthington and speak with counsel regarding an evaluation to determine the appropriate level of care for him." In response, the Public Guardian did meet with Mr. Worthington, and also spoke with the owner of the care home where he resides. The declaration of Deputy Public Guardian Stacy Mauro was filed on 9/6/2013.

Petitioner requests fees in connection with services as follows:

Attorney - **\$405.00** (2.70 hours @ \$150/hr)

Public Guardian - **\$367.68** (3.83 Deputy hours @ \$96/hr)

Petitioner prays:

1. The court authorize petitioner \$367.68 and her attorney \$405.00 for their services.

Reviewed by: KT

Reviewed on: 12/5/13

Updates:

Recommendation:

File 4 – Worthington

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 12/04/2012		<p>LEONEL RIOS, son is petitioner and requests appointment as Administrator with bond set at \$122,000.00.</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate</p> <p>Residence: Selma Publication: The Business Journal</p> <p>Estimated value of the Estate:</p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$2,000.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$120,000.00</td> </tr> <tr> <td>Total</td> <td>-</td> <td>\$122,000.00</td> </tr> </table> <p>Probate Referee: Rick Smith</p>	Personal property	-	\$2,000.00	Real property	-	\$120,000.00	Total	-	\$122,000.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 1/10/14 at 9:00a.m. in Dept. 303 for filing of the Bond <u>and</u> • Friday, 5/9/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 2/6/15 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Personal property	-		\$2,000.00									
Real property	-		\$120,000.00									
Total	-		\$122,000.00									
Cont. from 102413												
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		<p>Reviewed by: LV</p> <p>Reviewed on: 12/6/13 (KT)</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5A – Rios</p>										

**Petition for Probate of Will and for Letters of Administration with Will Annexed;
 Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

DOD: 12/4/2012		ANA RIOS SENN aka ANNA RIOS , daughter is petitioner and requests appointment as Administrator with Will Annexed and with bond set at \$92,000.00. Full IAEA – Need publication. Holographic Will dated: 11/14/2012 Residence: Selma Publication: NEED <u>Estimated value of the estate:</u> Personal property - \$ 2,000.00 Real property - <u>\$90,000.00</u> Total - \$92,000.00 Probate Referee: Rick Smith	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Petition to Administer the Estate. 2. Need proof of service of the Notice of Petition to Administer the Estate on: a. Leonel Rios (son) b. Aide Rios (daughter) 3. Need Affidavit of Publication. 4. Need Letters. <u>Note: If the petition is granted status hearings will be set as follows:</u> <ul style="list-style-type: none"> • Friday, 1/10/14 at 9:00a.m. in Dept. 303 for filing of the Bond <u>and</u> • Friday, 5/9/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 2/6/15 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
Cont. from			
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	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: KT Reviewed on: 12/6/13 Updates: Recommendation: File 5B – Rios	

Will Contest

DOD: 12/4/2012		LIONEL RIOS , son, and AIDE RIOS , daughter, are contestants.	NEEDS/PROBLEMS/COMMENTS:	
		Contestants allege:	1. Need proof of personal service of the Summons along with a copy of the contest on: a. Ana Rios (Probate Code §8250 allows the persons summoned 30 days from the date of service to file a written response to the contest.) 2. Need proposed order	
Cont. from		1. The purported will was not executed by decedent in the manner and form required by law for the execution of a will. 2. At the time of the alleged execution of the purported will, the decedent did not intend that such writing should take effect as his last will, but instead intended for it to clarify that any beneficiary designation already made to Ana were to be honored. 3. At the time of the alleged execution of the purported will, the decedent was not of sound and disposing mind. 4. The purported will was made as a direct result of undue influence consisted of the following: The decedent made unnatural provisions by disinheriting two of his three children. The decedent had been encouraged to make a will for years and had adamantly refused to do so. Ana was isolating the decedent and in control of his care at the time the document was allegedly prepared and signed by decedent. Decedent's cognitive abilities had degraded and he was heavily medicated during the time period when the document was allegedly signed. Ana was with the Decedent when the document was prepared and signed. 5. The purported will was made under duress created by Ana in that Ana isolated the decedent, threatened the decedent by telling him would no longer see Ana or her children if he did not comply with her requests and yelling at the Decedent.	Reviewed by: KT Reviewed on: 12/6/13 Updates: Recommendation: File 5C – Rios	
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<input type="checkbox"/>	Summons	<input checked="" type="checkbox"/>		
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		Wherefore, Contestants pray that the purported will be denied probate, for costs of suit and for further relief as proper.		

Petition to Determine Title to and Require Transfer of Property to Trust [Prob. C.
850(a)(2)(3), 855, 17200(b)(6)]

Stephan DOD: 08/09/05	DENNIS FREEMAN , successor trustee, is Petitioner.		NEEDS/PROBLEMS/COMMENTS: Note re pending matters: A: Ptn to Determine Title To and Require Transfer of Property to Trust - Continued hearing B: Ptn to Determine Title To and Require Transfer of Property to Trust re Bank Account - Continued hearing C: OSC Re Failure to Appear (Christopher Lull) - Continued hearing D: Notice of Motion and Motion for Judgment on the Pleadings E: Petition to Determine Title To; Require Transfer To and Impose Constructive Trust Over Property NEW PETITION: Petition to Compel Christopher Lull to Redress Breach of Trust by Payment of Money or Otherwise and for Double Damages, set for 1-21-14 NEW PETITION: Christopher Lull filed Petition to Determine Validity of Purported Trust, for Order Determining Interest in Trust Property and for Reformation, set for hearing 1-28-14. <u>The Court may wish to continue all matters to meet up at 1-28-14 and set for trial together.</u>
Debbra DOD: 05/13/13	Petitioner states: 1. Stephan F. Winter and Debbra L. Winter ("Settlor") executed the Stephan F. Winter and Debbra L. Winter Revocable Trust (the "Trust") on 02/16/94 in their capacity as Settlor and initial Trustees. The Trust was amended on 09/14/02. 2. Petitioner is the currently acting successor trustee of the Trust. 3. This petition concerns the ownership of the original Trust documents which Christopher Lull ("Respondent") or his agents have taken possession of and refused to deliver to the trustee. 4. The Settlor's maintained the original trust documents in a binder. Shortly before her death, Debbra delivered the binder to real estate agent Michele Lane in connection with a real estate transaction. The real estate agent had possession of the binder when Debbra died and maintained possession of it, refusing to deliver it to anyone without a court order. Thereafter, Respondent's attorney, Sue Campbell, represented to Michele Lane that the family agreed that it was ok that Ms. Lane release the binder to Respondent in care of attorney Sue Campbell. 5. This was not acceptable to Petitioner because (1) Petitioner was the trustee and not respondent, and (2) Respondent, Debbra's son, had been intentionally omitted from the Trust due to a long standing estranged relationship. 6. Petitioner has demanded the release of the trust binder from Respondent's former attorney, Sue Campbell; however, initially Sue Campbell's assistant professed no knowledge of a binder being picked up by her office and later Sue Campbell professed no knowledge of a binder being picked up from Michele Lane. Petitioner's demands that Respondent deliver the binder to Petitioner's attorney have been ignored.		
Cont. from 081213, 102113, 112013			Reviewed by: JF Reviewed on: 12-6-13 (skc) Updates: Recommendation: File 6A – Winter
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UCCJEA			
Citation			
FTB Notice			
Petitioner prays for an Order: 1. Declaring that Petitioner is the sole owner of the original trust documents and that Respondent has no interest in the original trust documents. 2. Directing Respondent to immediately deliver possession to Petitioner of any and all trust documents including but not limited to the original Trust, original Trust amendment, and the estate planning binder. Continued on Page 2			

Objection filed 08/07/13 by Christopher Lull, Respondent, states:

1. Petitioner does not have standing to bring this Petition. Petitioner is not the trustee because the amendment naming him as trustee was revoked. Morgan Quail witnessed the destruction of the amendment (see *Declaration of Morgan Quail*). Without the amendment, Petitioner is not the trustee or a beneficiary of the Trust and has no vested interest in the Trust.
2. Petitioner is not a relative or heir of Debbra L. Winter.
3. Michele Lane, the real estate agent described in the Petition, was in possession of the original estate planning binder at the time of Debbra Winter's death. Ms. Lane turned over the binder to Respondent because she found his name in the estate documents, and could not locate Petitioner's name in the binder. Because Ms. Lane could not find Petitioner's name in the documents and didn't know who he was, she refused to turn the binder over to him. Respondent's attorney has spoken to Ms. Lane and anticipates that she will be a witness in this matter. Ms. Lane stated to Respondent's attorney that Petitioner admitted to her that he never even met Debbra Winter. This information supports the fact that the amendment was destroyed and not in the original estate planning binder.
4. In the absence of the original, there is a legal presumption that the document was revoked. Additionally, pursuant to Probate Code § 6120(b), we have an act of destruction consistent with the intent to revoke. This presumption cannot be overcome based on the Declaration of Morgan Quail and the expected testimony of Michele Lane.
5. Respondent, Christopher Lull, is the successor trustee of the Trust dated 07/16/94 and the primary beneficiary. He had every right to withdraw the money from Bank of America, as Trustee.

Objector prays for an Order:

1. Denying the Petition to Determine Title to and Require Transfer of Property to Trust Regarding Bank Account; and
2. Denying the Petition to Determine Title to and Require Transfer of Property to Trust.

Declaration of Morgan Quail in Support of Objection filed 08/07/13 states:

1. He is Debbra Winter's nephew and probably one of her closest family members. Debbra felt like a bit of an outsider in their family and felt left out. Declarant always tried to include her in his life events and she always seemed grateful to be included.
2. Their family has a lot of drama. Declarant states that he has tried to stay out of it and remain neutral. He believes that this is why Debbra confided in him and spoke to him about things she might not talk about with others.
3. Approximately 2 years ago on Father's Day, Debbra pulled Declarant aside and asked to talk to him. During their conversation, she removed a document titled amendment to trust from her purse and proceeded to tear it up in front of him. She stated that she wanted to keep her money in the family. Declarant also believes she was having conversations with her sister Catherine and father Stanton about this issue as well.
4. At Christmastime later that year, Declarant received a card from Debbra thanking him for the talk on Father's Day.

**Petition to Determine Title to and Require Transfer of Property to Trust Regarding
Bank Account [Prob. C. 850(a)(2)(3), 855, 17200(b)(6)]**

Stephan DOD: 08/09/05	DENNIS FREEMAN , successor trustee, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS: Cont. from 081213, 102113, 112013																																																																										
Debbra DOD: 05/13/13	Petitioner states: 7. Stephan F. Winter and Debbra L. Winter ("Settlers") executed the Stephan F. Winter and Debbra L. Winter Revocable Trust (the "Trust") on 02/16/94 in their capacity as Settlers and initial Trustees. The Trust was amended on 09/14/02. 8. Petitioner is the currently acting successor trustee of the Trust. 9. This petition concerns the ownership of Bank of America account no. xxxx xxxx 3919 with a balance of over \$565,000 which was an asset of the Trust. 10. Petitioner is informed and believes that Respondent, Christopher Lull, presented Bank of America on or about June 26, 2013 the original 02/16/94 Trust without including the 09/14/02 amendment and wrongfully obtained the balance of the Bank of America Account.																																																																											
Cont. from 081213, 102113, 112013	Petitioner prays for an Order: 1. Declaring that Petitioner is the sole owner of the funds in Bank of America account no. xxxx xxxx 3919 and the sums wrongfully removed from said account and that Respondent has no interest in the account or the balance of the account; 2. Directing Respondent to immediately deliver the amounts removed from the account to Petitioner; 3. Directing Respondent to pay Petitioner's attorney's fees and costs; and 4. Awarding Petitioner with exemplary damages against Respondent according to proof.																																																																											
<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td><input type="checkbox"/></td><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Verified</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Inventory</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>PTC</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Not.Cred.</td><td></td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Notice of Hrg</td><td></td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Aff.Mail</td><td>w/</td></tr> <tr><td><input type="checkbox"/></td><td>Aff.Pub.</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Sp.Ntc.</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Pers.Serv.</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Conf. Screen</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Letters</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Duties/Supp</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Objections</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Video Receipt</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>CI Report</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>9202</td><td></td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Order</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Aff. Posting</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Status Rpt</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>UCCJEA</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>Citation</td><td></td></tr> <tr><td><input type="checkbox"/></td><td>FTB Notice</td><td></td></tr> </table>	<input type="checkbox"/>		Aff.Sub.Wit.		<input checked="" type="checkbox"/>	Verified		<input type="checkbox"/>	Inventory		<input type="checkbox"/>	PTC		<input type="checkbox"/>	Not.Cred.		<input checked="" type="checkbox"/>	Notice of Hrg		<input checked="" type="checkbox"/>	Aff.Mail	w/	<input type="checkbox"/>	Aff.Pub.		<input type="checkbox"/>	Sp.Ntc.		<input type="checkbox"/>	Pers.Serv.		<input type="checkbox"/>	Conf. Screen		<input type="checkbox"/>	Letters		<input type="checkbox"/>	Duties/Supp		<input type="checkbox"/>	Objections		<input type="checkbox"/>	Video Receipt		<input type="checkbox"/>	CI Report		<input type="checkbox"/>	9202		<input checked="" type="checkbox"/>	Order		<input type="checkbox"/>	Aff. Posting		<input type="checkbox"/>	Status Rpt		<input type="checkbox"/>	UCCJEA		<input type="checkbox"/>	Citation		<input type="checkbox"/>	FTB Notice		Continued on Page 2	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>Reviewed by: JF</td></tr> <tr><td>Reviewed on: 12-6-13 (skc)</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 6B – Winter</td></tr> </table>	Reviewed by: JF	Reviewed on: 12-6-13 (skc)	Updates:	Recommendation:
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Objection filed 08/07/13 by Christopher Lull, Respondent, states:

6. Petitioner does not have standing to bring this Petition. Petitioner is not the trustee because the amendment naming him as trustee was revoked. Morgan Quail witnessed the destruction of the amendment (see *Declaration of Morgan Quail*). Without the amendment, Petitioner is not the trustee or a beneficiary of the Trust and has no vested interest in the Trust.
7. Petitioner is not a relative or heir of Debbra L. Winter.
8. Michele Lane, the real estate agent described in the Petition, was in possession of the original estate planning binder at the time of Debbra Winter's death. Ms. Lane turned over the binder to Respondent because she found his name in the estate documents, and could not locate Petitioner's name in the binder. Because Ms. Lane could not find Petitioner's name in the documents and didn't know who he was, she refused to turn the binder over to him. Respondent's attorney has spoken to Ms. Lane and anticipates that she will be a witness in this matter. Ms. Lane stated to Respondent's attorney that Petitioner admitted to her that he never even met Debbra Winter. This information supports the fact that the amendment was destroyed and not in the original estate planning binder.
9. In the absence of the original, there is a legal presumption that the document was revoked. Additionally, pursuant to Probate Code § 6120(b), we have an act of destruction consistent with the intent to revoke. This presumption cannot be overcome based on the Declaration of Morgan Quail and the expected testimony of Michele Lane.
10. Respondent, Christopher Lull, is the successor trustee of the Trust dated 07/16/94 and the primary beneficiary. He had every right to withdraw the money from Bank of America, as Trustee.

Objector prays for an Order:

3. Denying the Petition to Determine Title to and Require Transfer of Property to Trust Regarding Bank Account; and
4. Denying the Petition to Determine Title to and Require Transfer of Property to Trust.

Declaration of Morgan Quail in Support of Objection filed 08/07/13 states:

5. He is Debbra Winter's nephew and probably one of her closest family members. Debbra felt like a bit of an outsider in their family and felt left out. Declarant always tried to include her in his life events and she always seemed grateful to be included.
6. Their family has a lot of drama. Declarant states that he has tried to stay out of it and remain neutral. He believes that this is why Debbra confided in him and spoke to him about things she might not talk about with others.
7. Approximately 2 years ago on Father's Day, Debbra pulled Declarant aside and asked to talk to him. During their conversation, she removed a document titled amendment to trust from her purse and proceeded to tear it up in front of him. She stated that she wanted to keep her money in the family. Declarant also believes she was having conversations with her sister Catherine and father Stanton about this issue as well.
8. At Christmastime later that year, Declarant received a card from Debbra thanking him for the talk on Father's Day.

Order to Show Cause Re: Failure to Appear; Imposition of Sanctions in the
Amount of \$500.00 as to Christopher Lull

		<p>DENNIS FREEMAN filed a Petition for Order Appointing Temporary Trustee and Directing Delivery of Assets to Temporary Trustee on 8-23-13, along with a request for Order Shortening Time for notice on the petition.</p> <p>The Court set the matter for hearing on 8-30-13 at 9:00, and ordered personal service by 8-26-13.</p> <p>Minute Order 8-30-13: The Court notes that the hour is 10:00 a.m. and Christine James is not present and nothing has been received from her. The Court further notes that notice has been provided to Christine James on an Order Shortening Time and there has been on-going communication between her and Mr. Pape. The Court grants the petition. If there is any difficulty, the Court will entertain an Order Shortening Time to assist the trustee in moving things along. The Court sets the matter for an Order to Show Cause regarding failure to appear and imposition of sanctions in the amount of \$800.00 as to Christine James and \$500.00 as to Christopher Lull. Christine James and Christopher Lull are ordered to be personally present on 9/19/13. Set on 9/19/13 at 9:00am in Dept. 303 for Order to Show Cause Re: Failure to Appear; Imposition of Sanctions in the Amount of \$800.00 as to Christine James and \$500.00 as to Christopher Lull. Petition is granted before Court Trial. Order signed.</p> <p>Orders to Show Cause were mailed to Attorney Christine James and Christopher Lull on 9-9-13 and on 09/30/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Cont. from 091913, 102113</p> <p>Minute Order from 09/19/13 states: The Court notes that an Order to Show Cause was mailed to Christine James and Christopher Lull on 09/09/13 ordering them to be personally present today. The Court further notes that the hour is 9:30am and neither Mr. Pape nor the Court has been contacted by either of the two. As to both Christine James and Christopher Lull, the Court sets a further Order to Show Cause on 10/21/13 regarding their failure to appear and imposition of sanctions in the amount of \$1,000.00 each. Christine James and Christopher Lull are ordered to be personally present on 10/21/13.</p> <p>Minute Order 10-21-13: Stipulation and Order to use Certified Shorthand Reporter is signed by the Court. Ms. James is appearing via CourtCall. Mr. Shahbazian is appearing as counsel for Christopher Lull. Also present in the courtroom is Bruce Bickel. The Court notes for the minute order that the court reporter previously retained has been excused by Mr. Pape. Matter continued to 12/9/13. The Court orders all the parties including Christopher Lull and Dennis Freeman to be personally present on 12/9/13. Continued to: 12/9/13 at 09:00a.m. in Dept 303</p>
Cont. from 091913, 102113			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: JF</p> <p>Reviewed on: 12-6-13 (skc)</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6C – Winter</p>	

Atty Pape, Jeffrey B.

Atty Lull, Christopher

Atty Shahbazian, Steven L.

Notice of Motion and Motion for Judgment on the Pleadings; Memorandum of
Points and Authorities in Support Thereof; Declaration of Jeffrey B. Pape [CCP 438]

Age:			NEEDS/PROBLEMS/COMMENTS:
DOD:			
Cont. from			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
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	Duties/Supp		
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	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by:	
		Reviewed on: 12-6-13 (skc)	
		Updates:	
		Recommendation:	
		File 6D – Winter	

6D

**Petition to Determine Title to; Require Transfer to and Impose Constructive Trust
Over Property [Prob. C. 850(a)(2), (3), 855, 17200(b)(6)]**

Age:			NEEDS/PROBLEMS/COMMENTS: Note: There are a total of seven (7) matters pending before the Court in this case: <ul style="list-style-type: none"> • Pages A through C of this calendar have been continued to this date. • The Court has signed a Tentative Ruling on Page D of this calendar (Motion for Judgment on the Pleadings) that has been distributed to the parties as of 12-6-13. • This Petition (Page E) filed 10-21-13 by Dennis Freeman • Petition filed 11-26-13 by Dennis Freeman is set for hearing on 1-21-14. • A Petition filed 12-6-13 by Christopher Lull is set for hearing on 1-28-14. <p>In light of the ongoing matters, Tentative Ruling, and upcoming matters, the Court may wish to continue this petition as well as the upcoming petitions to the same date to address or set for trial as appropriate.</p> <p>Therefore, this matter has not been reviewed by Examiner at this time.</p>	
DOD:				
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
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<input type="checkbox"/>	Notice of Hrg			
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<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
				Reviewed by: Reviewed on: 12-6-13 (skc) Updates: Recommendation: File 6E – Winter

Amended Verified Petition for Order Concerning the Internal Affairs of Trust

George S. Adanian DOD: 4-15-13		<p>SHERRI URNER is Petitioner.</p> <p>Petitioner states George S. Adanian created the trust on 10-5-1993 (Exhibit A), which provides for the following beneficiaries:</p> <ul style="list-style-type: none"> • 25% First Armenian Presbyterian Church, in Memory of Florence Adanian, Mother of Settlor • 25% Armenian Home • 25% Val Gonzales and Arlene Gonzales, or the survivor of them • 25% Saint Agnes Hospital <p>The settlor expressly made no provision for Elizabeth Shirinian and Harry Shirinian, Settlor's sister and her husband, Randall Shirinian, Settlor's nephew, Simon Adanian, Jr., Settlor's nephew, Matthew Adanian, Settlor's nephew, John Adanian, Settlor's nephew, and Monica Crapo, Settlor's niece.</p> <p>The First Amendment dated 5-2-10 amends distribution to be 100% to Petitioner Sherri Ann Urner.</p> <p>The Second Amendment dated 9-17-10 amends to name Sherri Ann Urner as Successor Trustee without bond.</p> <p>The Third Amendment dated 8-22-11 amends to name John David Adanian as Successor Trustee and amends distribution to 20% each to:</p> <ul style="list-style-type: none"> • John David Adanian • Simon George Adanian • Monica Diane Crapo • Matthew Joseph Adanian • Randy Alan Shirinian <p>Petitioner states the Third Amendment is 180 degrees different from the distribution of the 1993 Trust in that distribution is to the exact persons who were originally excluded. Petitioner states the Third Amendment is void and unenforceable.</p> <p align="center"><u>SEE ADDITIONAL PAGES</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>																																																																			
<table border="1"> <tr><td></td><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td></td><td>Verified</td><td></td></tr> <tr><td></td><td>Inventory</td><td></td></tr> <tr><td></td><td>PTC</td><td></td></tr> <tr><td></td><td>Not.Cred.</td><td></td></tr> <tr><td></td><td>Notice of Hrg</td><td></td></tr> <tr><td></td><td>Aff.Mail</td><td></td></tr> <tr><td></td><td>Aff.Pub.</td><td></td></tr> <tr><td></td><td>Sp.Ntc.</td><td></td></tr> <tr><td></td><td>Pers.Serv.</td><td></td></tr> <tr><td></td><td>Conf. Screen</td><td></td></tr> <tr><td></td><td>Letters</td><td></td></tr> <tr><td></td><td>Duties/Supp</td><td></td></tr> <tr><td></td><td>Objections</td><td></td></tr> <tr><td></td><td>Video Receipt</td><td></td></tr> <tr><td></td><td>CI Report</td><td></td></tr> <tr><td></td><td>9202</td><td></td></tr> <tr><td></td><td>Order</td><td></td></tr> <tr><td></td><td>Aff. Posting</td><td></td></tr> <tr><td></td><td>Status Rpt</td><td></td></tr> <tr><td></td><td>UCCJEA</td><td></td></tr> <tr><td></td><td>Citation</td><td></td></tr> <tr><td></td><td>FTB Notice</td><td></td></tr> </table>					Aff.Sub.Wit.			Verified			Inventory			PTC			Not.Cred.			Notice of Hrg			Aff.Mail			Aff.Pub.			Sp.Ntc.			Pers.Serv.			Conf. Screen			Letters			Duties/Supp			Objections			Video Receipt			CI Report			9202			Order			Aff. Posting			Status Rpt			UCCJEA			Citation		
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		<p>Reviewed by: skc</p> <p>Reviewed on: 12-6-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 – Adanian</p>																																																																				

Page 2

Petitioner states she is the Successor Trustee pursuant to the Second Amendment. John D. Adanian contends that he is the successor trustee pursuant to the Third Amendment.

On 10-16-13, John D. Adanian filed a Complaint – Unlawful Detainer against Petitioner in 13CECL09715 and, purporting to act as successor, seeks to evict Petitioner from property of the trust located at 46293 Tassel Lane, Squaw Valley, CA 93675. This property is an asset of the trust. Other assets of the trust are unknown.

Petitioner seeks the following orders from the Court:

- a. Order confirming that Petitioner is the Successor Trustee pursuant to the Second Amendment;
- b. Order determining that the Second Amendment is valid and enforceable;
- c. Order determining that the Third Amendment is void and unenforceable;
- d. Order determining that Petitioner is the beneficiary
- e. Order restraining John D. Adanian from exercising any powers or privileges as successor trustee;
- f. Order compelling John D. Adanian to account for any trust assets collected or recieved by him as successor trustee;
- g. Order restraining John D. Adanian from taking action to remove Petitioner from the real property in Squaw Valley.

Note: On 11-21-13, Petitioner filed an Ex Parte Application to Consolidate Pending Actions and Vacate Trial Date in Eviction Case. An Order denying the Ex Parte Application was filed 11-21-13.'

Court records indicate that there was a hearing on 12-3-13 in that matter in Dept. 401 and there are two upcoming hearing dates in that department in that matter on 12-12-13 and 12-17-13.

Status Hearing Re: Assets and Accounting

	PUBLIC ADMINISTRATOR was appointed as Trustee pursuant to Minute Order 9-9-13.	NEEDS/PROBLEMS/COMMENTS:
	The Court set this status hearing re: Assets and Accounting.	<u>Note: The former trustee filed a petition for fees for himself and for his attorney that is set for hearing on 12-19-13; however, no accounting or status report has been filed regarding the assets. Therefore, this status hearing remains on calendar.</u>
Aff.Sub.Wit.	HISTORY:	<u>Note: There is also an upcoming hearing date on 1-16-14 for a new petition filed by the beneficiaries.</u>
Verified	JOSEPH BALAGNO , Beneficiary, filed a Petition to Remove Trustee, to Appoint Public Administrator as Trustee, and to Compel Trustee to Account.	1. Need status of assets and accounting from former trustee Nicholas Kovacevich.
Inventory	NICHOLAS T. KOVACEVICH , Trustee, filed a Declaration on 8-8-13 (prior to Settlement Conference) indicating information provided to Petitioner's attorney.	
PTC	Minute Order 9-9-13: The Court is informed that Joseph Balagno has agreed to step down. The Court grants the petition and appoints the Public Administrator as the personal representative. The Court directs that any fees come before the court. Parties stipulate to having the minute order become the order of the court. Set on 12-9-13 for status hearing re assets and accounting.	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	On 11-1-13, Attorney David Paul Gromis , Attorney for former trustee Nicholas Kovacevich, filed a Petition for Payment of Attorney's Fees and Payment for Trustee's Fees that is set for hearing on 12-19-13. The petition requests payment of \$5,976.00 from the trust estate to the attorney and \$16,452.00 from the trust estate to Nick Kovacevih, CPA, for services as successor trustee.	Reviewed by: skc
Aff. Posting		Reviewed on: 12-6-13
Status Rpt		Updates:
UCCJEA		Recommendation:
Citation		File 8 – Balagno
FTB Notice	In addition, on 11-18-13 , Joseph Balagno, Linda Balagno, and Lori Jo Brown filed a Petition for Court Order to Determine Title and Require Transfer of Personal Property to Petitioner that is set for hearing on 1-16-14.	

Atty Crawford, Angelita C. (pro per Guardian/maternal grandmother)

Atty English, Anita (pro per Petitioner/mother)

Petition for Visitation

Ariel age: 15		ANITA R. ENGLISH , mother, is petitioner. ANGELITA CRAWFORD , maternal grandmother, was appointed guardian of Ariel on 4/22/2009 and was appointed guardian of Dallas, Dylan and Dwayne on 1/12/13. Father (of Ariel): DANNY EARL GOLDEN Father (of Dallas and Dylan): CHARLES KERNS Father (of Dwayne): DWAYNE McCOY Petitioner states she has not been allowed to talk to or see her children in five months. Her mother, guardian Angelita Crawford, is refusing to give her any contact.	NEEDS/PROBLEMS/COMMENTS: Note: Petitioner/mother Anita English has filed a petition to terminate the guardianship. The hearing is set for 12/30/13. 1. Need proof of service of the Notice of Hearing on: a. Danny Earl Golden (father) b. Charles Kerns (father) c. Dwayne McCoy (father) d. Ariel Golden (minor)
Dallas age: 9			
Dylan age: 8			
Dwayne age: 1			
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		Reviewed by: KT Reviewed on: 12/5/13 Updates: Recommendation: File 9 – Golden, Kerns & McCoy
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Petition for Termination of Guardianship

Adrinah age: 8		<p>GABRIEL TORRES, father, is petitioner.</p> <p>JUANITA PENA, maternal grandmother, was appointed guardian on 2/21/2012.</p> <p>Mother: STEPHANIE LEON</p> <p>Petitioner states he feels the minors should be in his care. He can provide them with love, care and morals that only a father can teach his children. Petitioner states he is currently working and can provide for their financial and health care needs. Petitioner fears the guardian will continue to deny him and his family from visiting the children. He feels they have denied him from visits. They do not answer the phone or text messages. Petitioner alleges that Jesus Pena (guardian's spouse) has made threats against him and that he felt bullied. Petitioner fees that under the guardian's care the children are not given a chance to know him.</p> <p>Court Investigator Charlotte Bien's Report filed on 11/26/13</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>1. Need proof of service of the Notice of Hearing on: a. Stephanie Leon (mother)</p>
Aniyah age: 4			
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 12/5/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 – Montijo & Torres</p>	

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 5 years		TEMPORARY EXPIRES 12/9/13		NEEDS/PROBLEMS/COMMENTS:	
		ISAC RAMIREZ, brother, is petitioner.		1. Need proof of personal service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice on: a. Margarita Grimaldo – unless the court dispenses with notice. 2. Need proof of service by mail of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Maternal grandmother 3. UCCJEA is incomplete. Need the minor's residence information for the past 5 years.	
		Father: UNKNOWN – court dispensed with notice by minute order dated 10/21/2013.			
		Mother: MARGARITA GRIMALDO – Declaration of Due Diligence filed on 10/7/13.			
Cont. from		Paternal grandparents: Unknown			
	Aff.Sub.Wit.	Maternal grandfather: Pedro Grimaldo – personally served on 10/15/13.			
✓	Verified	Maternal grandmother: Not listed.			
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg	Petitioner states the mother is unstable and unable to care for the minor at this time. Petitioner believes that it is in the best interest of the minor to remain in his care.			
	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.	W/			
✓	Conf. Screen	Court Investigator Dina Calvillo's Report filed on 11/21/13.			
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: KT	
				Reviewed on: 12/6/13	
				Updates:	
				Recommendation:	
				File 11 – Grimaldo	

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 16		<u>Temporary Expires 12/09/13</u>		NEEDS/PROBLEMS/COMMENTS:	
		SOFIA RODRIGUEZ , maternal grandmother, is Petitioner.		1. Need Notice of Hearing.	
Cont. from		Father: CRISBERTO RAMIREZ, SR.		2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
<input type="checkbox"/>	Aff.Sub.Wit.			<ul style="list-style-type: none"> • Crisberto Ramirez, Sr. (Father) • Maricruz Reyes (Mother) • Cristobal Ramirez (Minor) 	
<input checked="" type="checkbox"/>	Verified	Mother: MARICRUZ REYES		3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
<input type="checkbox"/>	Inventory	Paternal grandfather: NOT LISTED		<ul style="list-style-type: none"> • Paternal Grandfather (Not Listed) • Margarito Rodriguez (Paternal Grandmother) • Maternal Grandfather (Not Listed) • Sofia Margarita Ramirez (Sibling) • Crisberto Ramirez, Jr. (Sibling) 	
<input type="checkbox"/>	PTC	Paternal grandmother: MARGARITO RODRIGUEZ			
<input type="checkbox"/>	Not.Cred.	Maternal grandfather: NOT LISTED			
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Pub.				
<input type="checkbox"/>	Sp.Ntc.				
<input type="checkbox"/>	Pers.Serv.	<input checked="" type="checkbox"/>			
<input checked="" type="checkbox"/>	Conf. Screen				
<input checked="" type="checkbox"/>	Letters				
<input checked="" type="checkbox"/>	Duties/Supp				
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt				
<input checked="" type="checkbox"/>	CI Report				
<input type="checkbox"/>	9202				
<input checked="" type="checkbox"/>	Order				
<input type="checkbox"/>	Aff. Posting				
<input type="checkbox"/>	Status Rpt				
<input checked="" type="checkbox"/>	UCCJEA				
<input type="checkbox"/>	Citation				
<input type="checkbox"/>	FTB Notice				
				Reviewed by: LV	
				Reviewed on: 12/06/2013	
				Updates:	
				Recommendation:	
				File 12 – Ramirez	

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 15 years		<u>TEMPORARY EXPIRES 12/9/13</u>		NEEDS/PROBLEMS/COMMENTS:	
		JAMES LESTER FAIR , maternal uncle, is petitioner.		<u>Note to Judge:</u> According to the CI Report the proposed guardian has criminal history. He's had misdemeanor conviction for burglary in 2004 and a misdemeanor conviction for theft in 2009.	
Cont. from		Father: JOHN ESTRADA – Court Dispensed with Notice per Minute Order of 10/22/2013		Maternal Aunt, Rosalinda Mendez (Petitioner's wife) has criminal convictions and is currently on probation.	
<input type="checkbox"/>	Aff.Sub.Wit.				
<input type="checkbox"/>	Verified	Mother: MEGUMI FAIR , personally served on 10/11/2013			
<input type="checkbox"/>	Inventory				
<input type="checkbox"/>	PTC	Paternal grandparents: Court Dispensed with Notice per Minute Order of 10/22/2013			
<input type="checkbox"/>	Not.Cred.				
<input checked="" type="checkbox"/>	Notice of Hrg	Maternal grandfather: Bernard Fair			
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>	Maternal grandmother: Emi Fair		
<input type="checkbox"/>	Aff.Pub.				
<input type="checkbox"/>	Sp.Ntc.	Minor: Jessica Monique Estrada, Consents and Waives Notice		The mother, Megumi Fair, has criminal history, but no convictions, she has DSS History and on 10/18/2013 the DSS Social Worker obtained the drug test results taken by the mother on 10/15/2013. The test results were positive for Amphetamine.	
<input checked="" type="checkbox"/>	Pers.Serv.	<input checked="" type="checkbox"/>	Siblings: Felicia Neill, and Alexander Fair, Consent and Waive Notice		
<input type="checkbox"/>	Conf. Screen				
<input checked="" type="checkbox"/>	Letters	Petitioner states the minor recently suffered a traumatic brain injury and requires 24 hour care. Her mother is unfit to care for her and would not be physically able to care for her. CPS officer advised the petitioner to seek guardianship as soon as possible so that the mother would not be allowed to see the child based on the fact that the mother is not in her right mind.			
<input checked="" type="checkbox"/>	Duties/Supp				
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt				
<input checked="" type="checkbox"/>	CI Report				
<input type="checkbox"/>	9202				
<input checked="" type="checkbox"/>	Order	Court Investigator Dina Calvillo's report filed 11/26/2013.			
<input type="checkbox"/>	Aff. Posting			Reviewed by: LV	
<input type="checkbox"/>	Status Rpt			Reviewed on: 12/06/2013	
<input checked="" type="checkbox"/>	UCCJEA			Updates:	
<input type="checkbox"/>	Citation			Recommendation:	
<input type="checkbox"/>	FTB Notice			File 13 – Estrada	

Petition to Establish the Fact of Birth

		ELIDES GONZAGA VASQUEZ is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Note: If granted, the Court will sign and file the Order and provide the original Form VS 109 (the second page / bottom portion of the Order form) back to Petitioner. Petitioner is then responsible for obtaining a certified copy of the Order, and submitting the certified copy along with the original Form VS 109, to the California State Registrar. For more information, please see official printout.
		Petitioner states she was born at home in Selma, CA, on December 21, 1994. Her parents did not register her birth because they moved various times in search of work in the fields of California.	
Cont. from 110413		Petitioner requests Court determination that her birth did in fact occur as stated and that the Court establish the fact, time, and place of her birth as follows:	Reviewed by: skc Reviewed on: 12-4-13 Updates: Recommendation: File 14 – Vasquez
<input type="checkbox"/>	Aff.Sub.Wit.	Father: Augustin Gonzaga	
<input checked="" type="checkbox"/>	Verified	Mother: Alma Rosa Vasquez	
<input type="checkbox"/>	Inventory	Date of birth: December 21, 1994	
<input type="checkbox"/>	PTC	Time of birth: 12:00 a.m.	
<input type="checkbox"/>	Not.Cred.	Place of birth: Selma, Fresno County, CA	
<input type="checkbox"/>	Notice of Hrg	Petitioner currently resides in Norcross, Gwinnett County, GA.	
<input type="checkbox"/>	Aff.Mail	Petitioner provides documentation including physician's reports dated 1995, 1997, 1999, witness statements, and other documents including school records, older siblings birth certificates, immunization records, social security card, student ID, father's death certificate.	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
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<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice	On 11-21-13, Petitioner filed additional declarations from family members who witnessed her birth on December 21, 1994, as well as a declaration stating that she previously attempted to obtain a birth record via affidavit in 2007; however, it was rejected because some documents did not agree on the date.	

Atty Machuca, Sandra (pro per – paternal grandmother/Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Celeste, 9	TEMPORARY EXPIRES 11/04/13		NEEDS/PROBLEMS/COMMENTS:	
Alyssa, 6	SANDRA MACHUCA, paternal grandmother, is Petitioner.		Minute Order 11/4/13: Mother and father object to the guardianship. Mother and father are directed to submit written objections. Matter continued to 12/9/13. Temporary extended to 12/9/13. As of 12/6/13, no objections have been filed. The following issue remains: 1. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> or <i>Declaration of Due Diligence</i> or <i>Consent & Waiver of Notice</i> for: a. Francisco Hernandez (father) – Personal service required b. Olivia Gurriskieta (mother) – Personal service required c. Melesio Hernandez (paternal grandfather) – Service by mail sufficient Note: Per Minute Order from temporary hearing on 09/17/13, mother and father are in favor of the petition; however no proof has been filed that either parent has been personally served with Notice of Hearing.	
Unique, 1	Father: FRANCISCO HERNANDEZ			
Frances, 4 mos.	Mother: OLIVIA GURRISQUIETA			
	Paternal grandfather: MELESIO HERNANDEZ			
Cont. from 110413	Maternal grandfather: JOSE GURRISQUIETA – served by mail on 09/16/13			
<input type="checkbox"/> Aff.Sub.Wit.	Maternal grandmother: MARIA GURRISQUIETA – served by mail on 09/16/13			
<input checked="" type="checkbox"/> Verified	Petitioner alleges that the parents are homeless, live on the streets and are addicted to drugs. CPS placed the children with Petitioner when the youngest child tested positive for drugs at birth. Petitioner states that guardianship is necessary so that she can continue to keep the children safe.			
<input type="checkbox"/> Inventory				
<input type="checkbox"/> PTC				
<input type="checkbox"/> Not.Cred.				
<input checked="" type="checkbox"/> Notice of Hrg	Court Investigator JoAnn Morris filed a report on 10/21/13.		<div>Reviewed by: JF</div> <div>Reviewed on: 10/30/13</div> <div>Updates: 12/6/13 (skc)</div> <div>Recommendation:</div> <div>File 15 – Hernandez</div>	
<input checked="" type="checkbox"/> Aff.Mail				
<input type="checkbox"/> Aff.Pub.				
<input type="checkbox"/> Sp.Ntc.				
<input type="checkbox"/> Pers.Serv.				X
<input checked="" type="checkbox"/> Conf. Screen				
<input checked="" type="checkbox"/> Letters				
<input checked="" type="checkbox"/> Duties/Supp				
<input type="checkbox"/> Objections				
<input type="checkbox"/> Video Receipt				
<input checked="" type="checkbox"/> CI Report				
<input type="checkbox"/> 9202				
<input checked="" type="checkbox"/> Order				
<input type="checkbox"/> Aff. Posting				
<input type="checkbox"/> Status Rpt				
<input checked="" type="checkbox"/> UCCJEA				
<input type="checkbox"/> Citation				
<input type="checkbox"/> FTB Notice				

Petition for Appointment of Temporary Guardianship of the Person

Age: 5 years		<u>GENERAL HEARING 1/23/2014</u>		NEEDS/PROBLEMS/COMMENTS:	
Cont. from					
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
	Notice of Hrg	X			
	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	X			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				

CATHERINE EDWARDS, paternal grandmother, and **THOMAS EDWARDS**, paternal step-grandfather, are petitioners.

Father: **LUIS TARIN**

Mother: **STACY SNEED**

Paternal grandfather: not listed.
 Maternal grandfather: Tom Sneed
 Maternal grandmother: Mary Sneed

Petitioners state mom is a long time meth user. The mother has no employment and has not had the child in her home for over a year. The child had been living with her father and his girlfriend. The problem is the father cannot seem to keep his life straight. The father is currently in jail for a parole violation. Father has a long criminal history. The father is soon to be released from jail and petitioners fear he will come and take the child from them. Petitioners state they have provided the minor with a home and the stability she needs.

Note: Petitioners have previously been granted guardianship of this minor's sibling CATHERINE TARIN.

1. Petition and supporting documents do not include the minor's date of birth.
2. Need Notice of Hearing.
3. Need proof of personal service of the Notice of Hearing along with the Temporary Petition or Consent and Waiver of Notice or Declaration of Due Diligence on:
 - a. Luis Tarin (father)
 - b. Stacy Sneed (mother)

Reviewed by: KT
Reviewed on: 12/6/13
Updates:
Recommendation:
File 16 – Tarin

Pro Per

Carrillo, Martin R. (Pro Per Petitioner, maternal grandfather)

Pro Per

Carrillo, Bonnie J. (Pro Per Petitioner, maternal grandmother)

Petition for Appointment of Temporary Guardianship of the Person

(Prob. C. 2250)

Ethan Age: 4 years		<div>General Hearing set for 1/27/2014</div> <div>MARTIN R. CARRILLO and BONNIE J. CARRILLO, maternal grandparents, are Petitioners.</div> <div>Father: JON LIGGETT personally served 12/1/2013.</div> <div>Mother: VANESSA CARRILLO; personally served 12/1/2013.</div> <div>Paternal grandfather: Deceased</div> <div>Paternal grandmother: Deceased</div> <div>Petitioners state both of the parents are drug users and are constantly high on drugs, and the mother has openly admitted to Petitioners that she and the father both use meth and marijuana. Petitioners state that the children have no parental supervision, and the mother always left the children with the father's 16-year-old daughter, who also uses drugs. Petitioners state there is repeated domestic violence in the house, and the father was arrested for the latest incident (Declaration filed 11/26/2013 has attached copies of arrest reports showing arrest of the father on 10/4/2013 for corporal injury on spouse and child endangerment; also attached are copies of police reports.) Petitioners state there was a time recently that the children were living in the parents' apartment with no electricity for about 3 weeks to a month, and the 4-year-old child volunteers information to Petitioners and describes his parents fighting in front of him and other activity that a young child should not see. Petitioners state the mother does not protect the children, and does not seek medical care for them. Petitioners state CPS has been notified several times.</div>	<div>NEEDS/PROBLEMS/COMMENTS:</div> <div>Note: UCCJEA filed 11/26/2013 shows the children currently reside with their parents.</div> <div>1. Order on Court Fee Waiver filed 12/4/2013 finds both Petitioner's applications are denied; therefore, filing fees for the temporary and general petitions are due from the Petitioners.</div> <div>2. Notice of Hearing has not been filed by Petitioners, and it is unclear whether the notice that was personally served to the parents on 12/1/2003 contained the temporary hearing date and other information contained on a Notice of Hearing form.</div>	
Age: 1 year				
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W/
✓	Conf. Screen			
	Aff. Posting			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
✓	Letters			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: LEG		
		Reviewed on: 12/5/13		
		Updates:		
		Recommendation:		
		File 17 – Liggett		